

Notice of Allowability

Application No.

09/879,446

Examiner

Peng Ke

Applicant(s)

MACK ET AL.

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/10/05.
2. ☒ The allowed claim(s) is/are 4, 5, 21-27 and 29-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert S. Kelly 10:00 am on 10/11/05.

The application has been amended as follows:

Claims 20 and 28 are cancelled.

Claim 4: A system according to claim ~~20~~ 21 wherein said graphical images downloadable from said server are in the form of a plurality of different categories of similar types of images with a number of different selections being provided in each category, and means for permitting the user to select desired images from one or more categories.

~~Claim 21: A system according to claim 20 wherein said~~

An interactive system for permitting a user with a computer and display screen to design and generate, through a global computer information network connection with a server, a web page composite image including graphical images and text, said system comprising:

means for permitting the user to selectively create an outline of a shape out of a plurality of predetermined two-dimensional shapes within a predetermined area on the display screen,

files for producing a plurality of graphical images and lines of text stored at a server software storage remote from the user,

means for permitting the user through a browser to selectively download said files for producing said graphical images and incorporating each selected graphical image into any selected position in said predetermined area on the display screen

means for permitting the user to selectively download a file for producing a line of text into any selected position in said predetermined area in the display screen and to selectively repeat the operation for subsequent lines of text, said means for producing a line of text including means for permitting the user to originate the specific content of each line of text by typing it in on the display screen during the image creation process.

and means for permitting the user to utilize a position indicating device with said user's computer to individually vary the sizes and relative positions of the lines of text, graphical images and shape within said predetermined area on the display screen,

whereby a complete composite image can be created by the user and modified by the user with the entire image being continuously seen on the user's display screen during its creation,

means for permitting the user to download said files causes the framing representation of each file to be initially located in a particular orientation at a specific position in said predetermined area on the display screen so that later changes by the user in such position will be recorded by the user for transmittal back to the server.

Claim 24: A system according to claim 20 21 including means for permitting the user to upload graphical images into the files for producing graphical images at the server so that the user can utilize his own graphical images in the composite image.

Claim 25: A system according to claim 20 21 including means for permitting the user to selectively change the color within the selected shape.

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Claim 27: A system according to claim 20 21 including means for permitting the user to vary the relative proportions of the selectively created shape within said predetermined area on the display screen.

Claim 29: ~~A system according to claim 28 wherein said~~

Art interactive system for permitting a user with a computer and display screen to design and generate, through a global communication network connection with a server, a web page composite image suitable for high quality printing, said image including graphical images and text, said system comprising:

means for permitting the user to selectively create said composite image within a predetermined area on the display screen,

files for producing a plurality of high resolution images and text stored at a server software storage area remote from the user,

means fir permitting the user to selectively download through a browser said files for producing individual lines of text and graphical images and to incorporate said lines of text and selected graphical images into any selected position in said predetermined area on the display screen, said means for producing lines of text including means for permitting the user to originate the specific content of each line of text by typing it on the display screen during the image creating process,

means for permitting the user to individually vary the sizes and relative positions of each line of text and each selected graphical image within said predetermined area of the display screen to create a complete composite image to the user's specifications,

means for transmitting from the user to the server said complete composite image in its selected component parts and their respective locations within the predetermined area of the display screen.

means at the server for storing said component parts of the complete composite image in a computer/web protocol that permits the image to be output by the server in a variety of different formats.

and means at the server utilizing said computer/web protocol for providing a high resolution image of said complete composite image suitable for high quality printing.

means for permitting the user to download said files causes the framing representation of each file to be initially located in a particular orientation at a specific position in said predetermined area on the display screen so that later changes by the user in such position will be recorded by the user for transmittal back to the server.

Claim 31: A system according to claim 28-29 wherein said high resolution images are 300 dpi or better and said low resolution images are less than 100 dpi.

Claim 32: A system according to claim 28 29 wherein said graphical images include digital photographic images initially uploaded from the user to the server.

Allowable Subject Matter

Claims 4, 5, 21-27, and 29-35 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art fails to disclose or teach "means for permitting the user to download said files causes the framing representation of each file to be initially located in a particular orientation at a specific position in said predetermined area on the display screen so that later changes by the user in such position will be recorded by the user for transmittal back to the server," in combination with the other claim limitations of the succeeding claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peng Ke